

Key Points of the NYS Department of Transportation Regulation of the Use of Highways by Large Trucks, Reasonable Access Highways.

The Proposed Regulation was published in the August 26, 2009 NYS Register

- The proposal allows for a 45-day comment period ending on October 10, 2009.
- Comments to the proposal can be submitted to:
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New York State Department of Transportation
50 Wolf Road
Albany, NY 12232
518-457-2345
truckregcomment@dot.state.ny.us
- Following the 45-day comment period NYS DOT will review all comments received and make a determination on moving forward with a final rule.

As detailed below, these regulations impact all trucks, not those just hauling trash...

Details of the Proposed Regulation:

- The rule defines a truck, for purposes of this regulation, as: “a tractor-trailer or truck-trailer combination with a trailer length of **45 feet** or more.” It also includes vehicles that have been authorized by the Federal Surface Transportation Assistance Act of 1982 which include, but are not limited to: tractor-semi-trailer combinations with either a semitrailer of 48 feet or twin 28 (or 28 ½) feet semitrailers, and Specialized Equipment vehicles.
Essentially this means that if you operate with a trailer of 45 feet or more in length, you will be restricted from the roadways identified in the rule.
- Trucks will be excluded from the following roadways:
 1. NY Route 41 between U.S. Route 11 and U.S. Route 20 in Cortland and Onondaga Counties.
 2. NY Route 41A between NY Route 41 and US Route 20 in Cortland, Cayuga, and Onondaga Counties.
 3. NY Route 90 between U.S. Route 11 and US Route 20 in Cortland and Cayuga Counties.
 4. NY Route 38 between NY Route 90 and the southern Auburn City line in Cayuga Counties.
 5. NY Route 79 between NY Route 90 and the southern Auburn City line in Cayuga County.
 6. NY Route 89 between the western Ithaca City line and US Route 20 in Tompkins and Seneca Counties.
 7. NY Route 96 between the western Ithaca City line and NY Route 414 and between NY Route 414 and US Route 20 in Tompkins and Seneca Counties.

- An exemption from these restrictions exist only if:
 1. These highways constitute a reasonable alternative route, defined as:
 - A route that uses (a) State highways that are not Qualifying highways and (b) is at least 25 miles shorter than the shortest alternative route over Qualifying highways. To compare alternative routes, the length of each route shall be measured from the beginning location to the ending location of the route.
 2. Use of one of these highways is necessary because it provides exclusive access to:
 - A specific freight terminal (any location where freight either originates or terminates, or is handled in the transportation process, or any location where a commercial motor carrier maintains operating facilities.),
 - a facility for food,
 - a facility for fuel,
 - a facility for service,
 - a facility for rest, or
 - a site for the pickup or delivery of merchandise or other property.
 3. From a freight terminal, the excluded highways provide the shortest trip to the truck's next freight terminal destination or the shortest trip to the network of Qualifying highways, or
 4. Use of the highway is necessary because highway closures, weather conditions, or other factors render alternative routes inaccessible or unavailable for truck travel.